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E.O. 12958: DECL: 08/03/2017

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SUBJECT: (S) TERRORIST FINANCE:UK SUPPORTS USG SUBMISSION
BUT QUESTIONS CO-SPONSORSHIP

REF: SECSTATE 104666

Classified By: A/EMIN S E Clark for reasons 1.4 B/D

¶1. (S) Econoff delivered reftel demarche and non-paper July 31, 2007 to Clive Hughes, Desk Officer Multilateral and Strategic Allies Section Counter Terrorism Policy Department at the Foreign and Commonwealth Office (FCO). Hughes said the UK favors co-sponsoring U.S. submissions to the UN 1518 and 1267 committees and will respond promptly to the request. He noted however the UK is changing its policy on 1267 exemption requests in response to UK legal review (details below) and this might affect the US request for a co-sponsor.

¶2. (S) Regarding 1267 exemption requests, the UK has in the past taken the position that opposition by a single Committee member constitutes a negative decision by the Committee and the UK puts a hold on the exemption request. He said that a UK legal review suggested that a negative decision can only be taken by the Committee as a whole and opposition by a single member is not a sufficient basis for the UK putting a hold on a request. He said the matter is about to be taken to a UK court by a UK-based person, and the FCO wants to avoid having UN procedures dragged through domestic UK courts. He said the Committee itself is split over whether a single member's opposition constitutes a negative decision, and the wording of UN Resolution 1267 is unclear on the matter. The UK is discussing the matter with the Committee members and believes the Chinese and Russians will not be pleased by the change in UK policy. Hughes was vague about what the UK's new policy on exemption requests will be, but indicated the policy is changing. While co-sponsoring the additional U.S. submissions is unrelated to the change in policy on exemption requests, Hughes wanted the U.S. to be aware of the Russian and Chinese displeasure with the UK over its exemption request policy as this displeasure could spill over to the designation requests the U.S. is asking the UK to co-sponsor.

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